

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TODD DANNHAUSER, and  
TD CO., L.P.,

Plaintiffs,

v.

TSG REPORTING, INC.,

Defendant.

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TSG REPORTING, INC.,

Counterclaim-Plaintiff,

v.

TODD DANNHAUSER and  
TD CO., L.P.,

Counterclaim-Defendants.

Case No. 16-CV-747(CM)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that upon the annexed Affidavit of Jesenia Ruiz de la Torre, the exhibits thereto, and the accompanying memorandum of law, the undersigned will move this Court, before the Honorable Colleen McMahon, United States District Judge, on a date and time to be determined by the Court, in Courtroom 1640 of the Daniel Patrick Moynihan United States Courthouse at 500 Pearl Street, New York, New York 10007-1312, for an order:

- (i) Precluding Plaintiffs TD Co., L.P. and Todd Dannhauser ("Plaintiffs") from using at trial any information supporting their claims for unpaid or underpaid

commissions;

- (ii) Finding that Plaintiff Todd Dannhauser has not foregone any employment opportunities to preform services unrelated to the services provided by TSG and dismissing Plaintiffs' Noncompetition Agreement claim for declaratory relief under Rule 37 or, in the alternative, dismissing the Noncompetition Agreement claim for lack of subject matter jurisdiction;
- (iii) Imposing reasonable expenses and attorneys' fees on Plaintiffs to the extent permitted by law; and
- (iv) Granting such other relief as the Court deems just and proper.

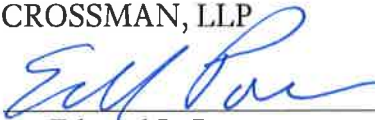
PLEASE TAKE FURTHER NOTICE that, pursuant to the Individual Practices and Procedures of the Honorable Colleen McMahon, answering papers are to be served two weeks after receipt of the moving papers, and reply papers are to be served five business days later.

Dated: New York, New York  
November 17, 2016

Respectfully submitted,

ZUKERMAN GORE BRANDEIS &  
CROSSMAN, LLP

By:



Edward L. Powers

Jesenia Ruiz de la Torre

Eleven Times Square

New York, New York 10036

Telephone: 212-223-6700

*Attorneys for Defendant TSG Reporting, Inc.*